

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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VOLVO CONSTRUCTION
EQUIPMENT RENTS, INC.,

Plaintiff,

v.

NRL RENTALS, LLC, et al.,

Defendants.

2:09-cv-00032-JCM-LRL

ORDER

Before the court is plaintiff's Motion (#281, filed May 5, 2010) to Extend or Modify Plaintiff's Expert Disclosure Deadline/Amend the Scheduling Order (#268). Defendants filed an Opposition (#288). No reply was filed.

Pursuant to the court's March 1, 2010 Order (#268), discovery closed on July 1, 2010. The last day to disclose experts was May 3, 2010, and the deadline to disclose rebuttal experts was May 17, 2010. Plaintiff seeks an order of the court to extend plaintiff's deadline to designate expert witnesses. Defendants oppose the motion, but acknowledge that "[g]iven the delays that have resulted from discovery motion practice, at some point another extension of certain discovery deadlines may be necessary." Opp'n (#288) at 8-9. Both parties allege wrongdoing and each blames the other for discovery delays in this case. Although counsels' relationship appears to be mired in abject contentiousness, they have at least one common need: to extend the remaining deadlines in this case due to delays resulting from extensive discovery motion practice. The most recent discovery cutoff date of July 1, 2010 has passed, and both parties await the district judge's ruling on pending objections to the magistrate judge's orders. The court in its discretion will amend its scheduling order as to all pending deadlines.

1 Accordingly,

2 IT IS ORDERED that plaintiff's Motion (#281) to Extend or Modify Plaintiff's Expert
3 Disclosure Deadline/Amend the Scheduling Order (#268) is GRANTED to the extent that the following
4 deadlines shall apply in this case:

5 Discovery cutoff November 5, 2010

6 Disclose experts September 3, 2010

7 Disclose rebuttal experts October 4, 2010

8 Dispositive motions December 6, 2010

9 Joint Pretrial Order January 7, 2011

10 DATED this 12th day of July, 2010.

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13 **LAWRENCE R. LEAVITT**
14 **UNITED STATES MAGISTRATE JUDGE**
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